

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE COMMISSIONER OF ADMINISTRATION

**In the Matter of the Appeal of the
Determination of the Responsible
Authority for Independent School
District No. 2580, East Central, that
Certain Data About Jeanne Slama
are Accurate and/or Complete.**

**AMENDED
PROTECTIVE ORDER**

Because this matter involves some data that are not public and access to such data may be necessary for the parties to properly prepare for the hearing and present their evidence and for a decision to be made upon the necessary evidence, it is necessary to issue a Protective Order addressing the discovery and use of such data.

NOW, THEREFORE, pursuant to Minn. Stat. § § 13.03, subd. 6 and 14.60, subd. 2, the Administrative Law Judge makes the following:

ORDER

IT IS HEREBY ORDERED that:

1. Disclosure of not public data by Independence School District No. 2580 is permitted in the course of this matter, in accordance with the terms of this Order. Such disclosure is limited to parties, counsel of record, employees assisting counsel, and representatives and witnesses of the parties to the extent necessary to prepare and present claims and defenses in this proceeding.

2. If the School District opposes discovery of any data on the grounds that the data are classified as not public, the School District shall promptly submit the data to the Administrative Law Judge for *in camera* review pursuant to Minn. Stat. § 13.03, subd. 6.^{[\[1\]](#)}

3. The parties' counsel, representatives, and witnesses may not disclose any data provided pursuant to this Order to persons other than those mentioned in Paragraph No. 1 above and must return all data released pursuant to this Order to counsel for the School District at the conclusion of this matter.

4. Data provided pursuant to this Order shall not become public data by virtue of having been submitted this proceeding and shall remain not public after the conclusion of the hearing. In preparation for the hearing, the parties may refer to names

of individuals involved and will have access to documents containing private information.

5. The hearing in this matter is presumed open. In all testimony, exhibits, and transcripts, the names of students shall be redacted and replaced by non-identifying initials or aliases. Unless the Administrative Law Judge determines that it is in the best interest of the subjects of the data, the record will not be sealed. The Administrative Law Judge's Recommendation and the Commissioner's Order shall use non-identifying initials or aliases in place of the names of any students.

6. The data encompassed by this Order may be used only in this proceeding and not for any other purpose including collateral litigation, unless otherwise ordered by a court of law.

Dated this 6th day of August, 2003

s/Steve M. Mihalchick
STEVE M. MIHALCHICK
Administrative Law Judge

^[1] See, *Montgomery Ward & Co. v. County of Hennepin*, 450 NW2d 299 (Minn. 1990); *State v. Renneke*, 563 NW2d 335 (Minn. App. 1997).